

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Civil Action No. 04-10299-RGS

NEW ENGLAND WATERPROOFING, INC.,
a Massachusetts corporation, doing business
under the trademark "Crack-X,"

Plaintiff

v.

DAVID DALESSANDRI and CONCRETE
PRESCRIPTIONS, LLC, a Maine Limited
Liability Company doing business as
"Concrete RX,"

Defendant

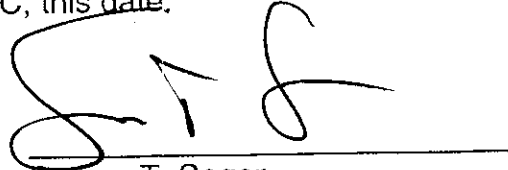
ASSENTED TO MOTION TO AMEND COMPLAINT

Plaintiff New England Waterproofing, Inc. ("NEWI") hereby moves this Honorable Court, pursuant to Fed. R. Civ. P. 15(a) and Local Rule 15.1 for leave to amend its Complaint to add "Concrete Prescriptions, LLC" as a defendant in this action. The Amended Complaint accompanies this Motion.

In support of this Motion, NEWI states:

1. Defendant David Dalessandri has given written consent to the filing of the Amended Complaint through his counsel of record in this action.

2. In accordance with Local Rule 15.1(B), this Motion has been served upon the proposed new party, Concrete Prescriptions, LLC, this date.



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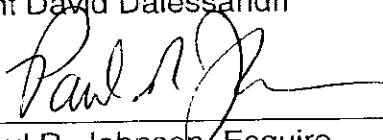
Attorneys for the Plaintiff,
New England Waterproofing, Inc.

Dated: July __, 2004

Assented to:

Defendant David Dalessandri

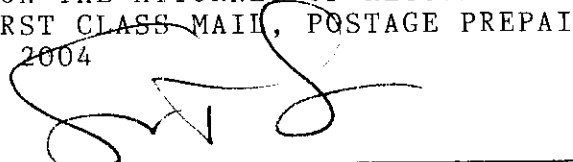
By:



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT A TRUE COPY OF THE ABOVE DOCUMENT WAS SERVED UPON THE ATTORNEY OF RECORD FOR EACH OTHER PARTY BY FIRST CLASS MAIL, POSTAGE PREPAID THIS 28th DAY OF JULY, 2004



Steven T. Sager